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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,889	09/07/2004	Haruhito Watanabe	1254-0256PUS1	6735
2292 7590 03/13/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER VAUTROT, DENNIS L	
			ART UNIT	PAPER NUMBER
			2167	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/13/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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**Office Action Summary**

Application No.

10/506,889

Applicant(s)

WATANABE, HARUHITO

Examiner

Dennis L. Vautrot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/5/2006
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The applicants' amendment, filed 5 December 2006, has been received, entered into the record and considered.
2. As a result of the amendment, claims 1 – 4 are amended. Claims 1 – 4 are pending in the application.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1 – 3 have been considered but are moot in view of the new ground(s) of rejection. The same reference is used, but with some different citations to further clarify the rejection.
4. Regarding Applicant's statement on page 8 that "While Tanaka et al. (having the same assignee as the present application)...", it does not appear in the records that the reference used and the instant application have the same assignees. The instant application shows that it is assigned to Sharp, while Tanaka is assigned to Fuji. This is being brought to attention solely in case assignment becomes an issue at a later date.
5. Applicant's arguments filed with respect to claim 4 have been fully considered but they are not persuasive. Specifically, the part that states "Tanaka et al. also does not disclose... a folder structure detecting step of detecting a folder structure in transmission

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origin storage means of a transmission origin apparatus to which the file to be transmitted to transmission destination storage means of a transmission destination apparatus is save.” Is not persuasive. The examiner interprets the above to basically mean that the folder structure on the origin apparatus is detected, which is what the quoted language shows. The rest of the argument for claim 4 is addressed by adding another citation to Tanaka et al. to the rejection.

### ***Information Disclosure Statement***

6. The information disclosure statement (IDS) submitted on 5 December 2006 has been received and entered into the record. Since the IDS complies with the provisions of MPEP § 609, the references cited therein have been considered by the examiner. See attached form PTO-1449.

### ***Specification***

7. Claim 1 is objected to because of the following informalities: It is not clear what “..on the basis of a folder structure pre-standardized between the transmission origin and apparatus and a transmission destination apparatus” pertains to. It is not clear whether it modifies “...generating”, “...storage means”, or “...transmitted”. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1 – 4 are rejected under 35 U.S.C. 102(e) as being anticipated by **Tanaka et al.** (US Patent Application Publication 2001/0048534).

10. Regarding claim 1, **Tanaka et al.** teaches a transmission origin apparatus for an information transmission system which allows a file to be transmitted between apparatuses based on different systems (See page 3, paragraph [0055] “A transmitting/receiving device transmits and receives image data, audio data, a batch file, etc. in accordance with instructions from the CPU...connector connects the camera to the communication device through the cable for wire communication.”), comprising:

transmission origin storage means to which the file to be transmitted is saved (See page 3, paragraph [0055] “A transmitting/receiving device transmits and receives image data); and

identifying file generating means for generating, in the transmission origin storage means, an identifying file [print file] having a unique structure used to identify

the transmission origin [creator] (See page 4, paragraph [0083] "After the printer 40 receives the print file 140A, the CPU 120 changes the names of the received image files and audio files recorded in the print file 140 to produce a new print file." And see page 4, paragraph [0088] "The print file 140A includes general information and information on four print jobs...name of the device (creator) that recorded the print file 140A last..."), in addition to the file to be transmitted [image files], on the basis of a folder structure pre-standardized between the transmission origin apparatus and a transmission destination apparatus. (See page 3, paragraph [0058] "When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure." Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.)

11. Regarding claim 2, **Tanaka et al.** teaches a transmission destination apparatus for an information transmission system which allows a file to be transmitted between apparatuses based on different systems, comprising: transmission destination storage means to which the transmitted file is saved (See page 4, paragraph [0075] "A transmitting/receiving device transmits and receives the image data and the directory information in accordance with instructions of the CPU." The destination apparatus is what is receiving the information in this case.);

monitoring means for detecting that a folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a folder structure

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pre-standardized between the transmission origin apparatus and the transmission destination apparatus (See page 5, paragraph [0093] "After that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer." The printer, in this case, is the transmission destination apparatus to which the identifying file information, also called the directory information, is transmitted to.) to identify an identifying file [print file] contained in the folder structure and having a unique structure used to identify the transmission origin (See page 5, paragraph [0094] "The printer 40 stores the directory information in the memory 122, the nonvolatile memory 124 or the storage medium 46, and then determines whether or not the print file 140 is included in the directory (S108)." And see FIG 7. showing the unique structure identifying the transmission origin.); and saving means for saving, to the transmission destination storage means, a file other than the identifying file saved to said transmission origin storage means of the transmission origin apparatus, on the basis of results of the identification by the monitoring means (See page 5, [0107] "If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer." and specifically referring to saving the file, see page 8, [0177] "...the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; and the data receiving device stores the received print file in the storage medium.")

12. Regarding claim 3, **Tanaka et al.** teaches an information transmission system that transmits a file between apparatuses based on different systems, comprising:

a transmission origin apparatus and a transmission destination apparatus connected together using a standardized serial interface standard (See page 4, paragraph [0077] "In case of wire communication, a serial interface format such as the RS-232, RS-422, the USB and the IEEE1394 may be used..."), the transmission origin apparatus comprising:

a transmission origin storage means to which the file to be transmitted is saved (See page 3, paragraph [0055] "A transmitting/receiving device transmits and receives image data); and

identifying file generating means for generating, in the transmission origin storage means, an identifying file [print file] having a unique structure used to identify the transmission origin [creator] (See page 4, paragraph [0083] "After the printer 40 receives the print file 140A, the CPU 120 changes the names of the received image files and audio files recorded in the print file 140 to produce a new print file." And see page 4, paragraph [0088] "The print file 140A includes general information and information on four print jobs...name of the device (creator) that recorded the print file 140A last..."), in addition to the file to be transmitted [image files], on the basis of a folder structure pre-standardized between the transmission origin apparatus and a transmission destination apparatus (See page 3, paragraph [0058] "When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on



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the directory structure." Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.),

the transmission destination apparatus comprising:

the transmission apparatus storage means to which the transmitted file is saved (See page 4, paragraph [0075] "A transmitting/receiving device transmits and receives the image data and the directory information in accordance with instructions of the CPU." The destination apparatus is what is receiving the files in this case.);

monitoring means for detecting that a folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a folder structure pre-standardized between the transmission origin apparatus and the transmission destination apparatus (See page 5, paragraph [0093] "After that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer." The printer, in this case, is the transmission destination apparatus to which the identifying file information, also called the directory information, is transmitted to.) to identify an identifying file [print file] contained in the folder structure and having a unique structure used to identify the transmission origin (See page 5, paragraph [0094] "The printer 40 stores the directory information in the memory 122, the nonvolatile memory 124 or the storage medium 46, and then determines whether or not the print file 140 is included in the directory (S108)." And see FIG 7. showing the unique structure identifying the transmission origin.); and

saving means for saving, to the transmission destination storage means, a file other than the identifying file saved to said transmission origin storage means of the

transmission origin apparatus, on the basis of results of the identification by the monitoring means (See page 5, [0107] "If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer." and specifically referring to saving the file, see page 8, [0177] "...the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; and the data receiving device stores the received print file in the storage medium.")

13. Regarding claim 4, **Tanaka et al.** teaches a method for recognizing a system in an information transmission system which method transmits a file between apparatuses based on different systems (See page 3, paragraph [0055] "A transmitting/receiving device transmits and receives image data, audio data, a batch file, etc. in accordance with the instructions from the CPU."), comprising:

a folder structure detecting step of detecting a folder structure in transmission origin storage means of a transmission origin apparatus to which the file to be transmitted to transmission destination storage means of a transmission destination apparatus is saved (See page 3 paragraph [0058] "When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure." Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.);

an identifying file monitoring step of detecting that the folder structure in said transmission origin storage means detected in the folder structure detecting step is one pre-standardized between the transmission origin and the transmission destination to identify an identifying file [print file] contained in the folder structure and having a unique structure used to identify the transmission origin (See page 5, paragraph [0094] "The printer 40 stores the directory information in the memory 122, the nonvolatile memory 124 or the storage medium 46, and then determines whether or not the print file 140 is included in the directory (S108)." And see FIG 7. showing the unique structure identifying the transmission origin. And See page 5, paragraph [0104] "The printer stores the directory information in the memory, the nonvolatile memory or the storage medium, and then determines whether or not the image file shown in the print job is included in the directory."); and

a copy activation control step of activating and controlling, on the basis of results of the identification in the identifying file monitoring step, copy means for copying a file other than the identifying file saved to said transmission origin storage means, to the transmission destination storage means (See page 5, paragraph [0107] "If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer." This copies the file to the destination storage means.)

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


**Bateman et al. (US 6,944,700)**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis L. Vautrot whose telephone number is 571-272-2184. The examiner can normally be reached on Monday-Friday 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dv  
2 March 2007

  
**JOHN COTTINGHAM**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**